

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

WE THE PEOPLE PAC; State
Representative BILLY BOB
FAULKINGHAM; LIBERTY
INITIATIVE FUND; and NICHOLAS
KOWALSKI,

Plaintiffs

v.

SHENNA BELLOWS, in her official
capacity as Secretary of State for the State
of Maine, JULIE FLYNN, in her official
capacity as the Deputy Secretary of State
of Maine for the Bureau of Corporations,
Elections and Commissioners,

Defendants.

Civil No. 1:20-cv-00489-JAW

CONSENT ORDER AND JUDGMENT

For the reasons stated in the order granting Plaintiffs' Motion for Preliminary Injunction (ECF No. 46), and the decision of the United States Court of Appeals for the First Circuit affirming that order, and the parties having agreed, it is HEREBY ADJUDGED that:

1. Judgment shall enter for Plaintiffs We the People PAC, Billy Bob Faulkingham, Liberty Initiative Fund, and Nicholas Kowalski, and against Defendants Shenna Bellows, in her official capacity as Secretary of State for the State of Maine, and Julie Flynn, in her official capacity as Deputy Secretary of State of Maine for the Bureau of Corporations, Elections, and Commissioners, on Counts I-IV of Plaintiffs' Complaint.
2. Defendants are permanently enjoined from enforcing 21-A M.R.S. § 903-A and Me. Const., art. IV, pt. 3, § 20, to the extent they require that initiative or people's veto petitions only be circulated by Maine residents, against circulators who (a) agree to

submit to the personal jurisdiction of Maine for purposes of any investigation or prosecution of any alleged violation of Maine law with respect to initiative or people's veto petitions; (b) maintain up-to-date contact information with the Maine Secretary of State's office, by whatever means identified by the Secretary of State's office, for the duration of any petition drive for which they circulation petitions, which drive includes the collection of signatures and review of those signatures by the Secretary of State's office; and (c) are responsive to requests for information from the Secretary of State's office for the duration of the petition drive, as defined above.

3. Defendants are permanently enjoined from enforcing 21-A M.R.S. § 903-A and Me. Const., art. IV, pt. 3, § 20, to the extent they require that initiative or people's veto petitions only be circulated by registered voters of Maine.
4. Defendants shall pay Plaintiffs the sum of \$92,189.32 in attorneys' fees and costs, in accordance with 42 U.S.C. §§ 1983 and 1988(b), by December 31, 2023. The Court finds that the amount of fees requested is reasonable.
5. Should Defendants fail to pay the aforementioned fees and costs by December 31, 2023, post-judgment interest shall be owed from the date of this Order.
6. At Plaintiffs' request, and pursuant to an agreement of the parties, Counts V-IX of Plaintiffs' Complaint are dismissed with prejudice.
7. To the extent Plaintiffs' complaint seeks further relief beyond the relief ordered above, such relief is denied.

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 9th day of February, 2023